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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF)	
THOMAS ALAN SHIOZAKI)	STIPULATION AND ORDER
TO PRACTICE AS A PHARMACIST)	CASE NO DOPL 2007-- 255
IN THE STATE OF UTAH)	

THOMAS ALAN SHIOZAKI ("Respondent") and the **DIVISION OF
OCCUPATIONAL AND PROFESSIONAL LICENSING** of the Department of Commerce of
the State of Utah ("Division") stipulate and agree as follows

- 1 Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action
- 2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily
- 3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter

4 Respondent understands that Respondent is entitled to a hearing before the State of Utah's Board of Pharmacy ("the Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses. Respondent acknowledges that by executing this document Respondent hereby waives the right to a hearing and any other rights to which Respondent may be entitled in connection with said hearing.

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter.

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document. The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent, to other persons and entities.

7 Respondent admits the following facts are true:

- a Respondent's license to practice pharmacist in the state of Utah was placed on probation pursuant to a Stipulation and Order and Amended Orders in DOPL Case No. 2000-182. The Stipulation and Order and Amended Orders required Respondent to maintain a current pharmacist license in the State of Utah during the period of probation.
- b On or about September 30, 2007 Respondent allowed his license to practice pharmacy in the State of Utah to expire when Respondent failed to renew it. Respondent was still on probation at the time and subject to all the terms and conditions of the Stipulation and Order and Amended Orders of DOPL Case No. 2000-182.

8 Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann. § 58-1-501(2)(a) and said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Ann. § 58-1-401(2)(a) and in

accordance with the provisions of the Division's Order in Case No 2000-182 Respondent hereby surrenders Respondent's license to practice as a pharmacist in the State of Utah along with all residual rights pertaining to said license Respondent agrees that the issuance of the Order in this matter constitutes disciplinary action by the Division pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann § 58-1-401(2) Respondent agrees not to reapply for licensure as a pharmacist in the State of Utah for a period of five years from the date the Division Director signs this Stipulation and Order The Division does not guarantee than any future application by Respondent for licensure will be granted If the Division Director accepts the terms of this Stipulation and Order, Respondent forfeits all rights to practice as a pharmacist in the State of Utah Respondent understands that Respondent will not receive any refund of license or renewal fees previously paid to the Division

9 This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this non-criminal administrative matter Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and the Respondent waive any claim of bias or prejudgment Respondent might have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification

10 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order There are no verbal agreements that modify, interpret, construe or affect this Stipulation

11 If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law

12 Respondent has read each and every paragraph contained in this Stipulation and Order
Respondent understands each and every paragraph contained in this Stipulation and Order
Respondent has no questions about any paragraph or provision contained in this Stipulation and Order

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

BY 
DIANA BAKER
Bureau Manager

DATE Dec 19 2007

RESPONDENT

BY 
THOMAS ALAN SHIOZAKI

DATE 12-18-07

MARK L. SHURTLEFF
ATTORNEY GENERAL

BY 
L. MITCHELL JONES
Counsel for the Division

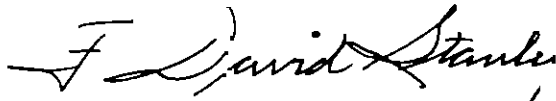
DATE 19 Dec 2007

ORDER

THE ABOVE STIPULATION, in the matter of **THOMAS ALAN SHIOZAKI** is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann. § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 19 day of December, 2007

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING


F. DAVID STANLEY
Director

Investigator: Sandy Hess